

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
Docket No. 2012-115-C

In Re:	Petition of the Office of Regulatory Staff)	PETITION TO
	for Adoption of FCC Mandated Changes)	INTERVENE
	to Lifeline and Link Up and for Expedited)	AND REQUEST FOR
	Relief)	CLARIFICATION
)	
)	

The South Carolina Telephone Coalition ("SCTC") submits the within Petition to Intervene in this proceeding, and requests clarification of Order No. 2012-234 issued by the Public Service Commission of South Carolina ("Commission") in the above-captioned proceeding.

I. PETITION TO INTERVENE

In support of its Petition to Intervene, SCTC would respectfully show unto this honorable Commission the following:

1. SCTC is a coalition of local exchange telephone companies organized and doing business under the laws of the State of South Carolina. SCTC's members are telephone companies or telephone cooperatives subject to the jurisdiction of the Public Service Commission of South Carolina ("Commission").

2. SCTC companies are eligible telecommunications carriers ("ETCs") operating in South Carolina and, as such, are subject to the requirements of both the Federal Communications Commission ("FCC") and the Commission relating to Lifeline and Link Up services for low income customers. Therefore, SCTC companies are directly impacted by and subject to the Commission's order in this proceeding.

3. Correspondence and communications to SCTC with respect to this proceeding should be directed to the undersigned counsel.

II. REQUEST FOR CLARIFICATION OF COMMISSION ORDER NO. 2012-234

4. On February 6, 2012, the FCC issued its Lifeline Reform Order.¹ The FCC's Order directs substantial changes in the Lifeline and Link Up programs. The Office of Regulatory Staff ("ORS") subsequently asked the Commission to adopt an interim order reflecting the changes mandated by the FCC. The Commission issued Order No. 2012-234 granting interim relief, and ordering ETCs to use the FCC mandated requirements, and ordering ETCs to make tariff filings reflecting the changes by April 2, 2012.

5. On March 29, 2012, the Commission issued its Order Granting Interim Relief, Order No. 2012-234 in the above-captioned docket. Among other things, the Commission ordered all ETCs in South Carolina to make tariff filings reflecting elimination of Link Up (except for customers living on tribal lands) and the other mandated eligibility requirements by April 2, 2012, and further ordered all ETCs that maintain guidebooks or price lists to comply with the *Lifeline Reform Order* by April 2, 2012.

6. On March 29, 2012, the FCC issued a Public Notice² stating that the amendments to section 54.403 of the FCC's rules adopted in the Lifeline Reform Order implementing the \$9.25 flat rate on non-Tribal lands cannot become effective until the Office of Management and Budget (OMB) approves the data collection provisions of that rule. The FCC went on to state that, upon OMB approval, it would publish a notice in the Federal Register announcing the effective date of

¹ *Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket Nos. 11-42 *et al.*, CC Docket No. 96-45, FCC 12-11 (rel. Feb. 6, 2012) (*Lifeline Reform Order*).

² Public Notice, *Wireline Competition Bureau Provides Guidance Regarding the Effective Date of Certain Rules Adopted in the Lifeline Reform Order*, WC Docket Nos. 11-42 *et al.*, CC Docket No. 96-45, DA 12-493 (rel. March 29, 2012).

the rule and providing at least 90 days notice for ETCs to come into compliance with the provisions related to the \$9.25 flat rate on non-Tribal lands.


7. There has understandably been some confusion regarding the effective dates of the federally-mandated Lifeline program changes and, consequently, the effective dates of tariffs that may have been filed with the Commission on a very short time frame. For this reason, we respectfully ask the Commission to clarify that the effective date of any tariff changes that may have been filed by ETCs in South Carolina will coincide with the effective dates of the relevant federally-mandated program changes. For example, the elimination of the Link Up program (except on Tribal lands) is effective on April 2, 2012, while the reduced discount for the federally-funded portion of Lifeline will become effective at a future date to be announced by the FCC. Additionally, we respectfully ask the Commission to clarify that ETCs who have not yet filed tariff changes to reflect the federally-mandated Lifeline changes may file any necessary tariff changes at an appropriate time.

WHEREFORE, the South Carolina Telephone Coalition respectfully requests that this honorable Commission:

- (1) permit its intervention in this proceeding as its interests might appear;
- (2) clarify that the effective date of any tariffed changes in the Lifeline and Link Up programs that are intended to comply with the federal mandates shall be effective at such time as the FCC's rules, orders, and notices dictate, and that ETCs may file any changes that may be necessary at an appropriate time to reflect relevant federally-mandated changes; and
- (3) grant such other and further relief as is just and proper.

Respectfully submitted,

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By:  _____

Attorneys for Intervenor South Carolina
Telephone Coalition

April 4, 2012

Columbia, South Carolina

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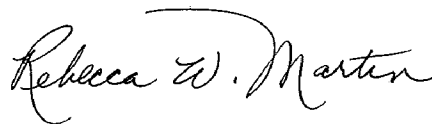
**CERTIFICATE
OF SERVICE**

I, Rebecca W. Martin, do hereby certify that I have this date served one (1) copy of the attached Petition to Intervene upon the following parties causing said copy to be deposited with the United States Postal Service, first class postage prepaid and properly affixed thereto, and addressed as follows:

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April 4, 2012

Columbia, South Carolina